

Dianne C. Kerns, Trustee
Office of Chapter 13 Bankruptcy
PMB #413
7320 N. La Cholla #154
Tucson, AZ 85741
Telephone (520) 544-9094

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

IN RE:)	CHAPTER 13 PROCEEDINGS
)	
IRENE LOUISE LEHANE)	CASE NO.: 12-07754-TUC-EWH
)	
)	TRUSTEE'S MOTION TO DISMISS
)	FOR DELINQUENT PLAN
)	PAYMENTS
DEBTOR)	and
		NOTICE OF INTENT TO LODGE
		ORDER DISMISSING CASE
		<u>WITHOUT A HEARING;</u>

PLEASE READ THIS MOTION / NOTICE CAREFULLY
THIS MOTION MAY BE GRANTED WITHOUT FURTHER NOTICE OR HEARING
YOUR RIGHTS MAY BE ALTERED BY FAILING TO RESPOND

Dianne C. Kerns, Trustee in the above-captioned estate, hereby moves the Court for an order dismissing the above-captioned case on the grounds that the Debtor is delinquent in one or more plan payments (1). **The amount of the current plan payment delinquency is: \$2,770.00.** The Trustee hereby gives notice of her intent to lodge an order dismissing this case, without further notice of hearing, unless the Debtor completes one of the following **within 30 days of the mailing of this motion**:

- (a) Makes payment to the Trustee of the full amount stated as delinquent PLUS any additional amounts that subsequently come due. (2)
- (b) Files and serves a notice of conversion to Chapter 7; or
- (c) Files and serves a request for a moratorium of delinquent plan payments (preferably in the form of an amended/modified plan using Local Plan form 13-2)

If the Debtor fails to timely do one of the above, the Trustee is specifically authorized to upload an order dismissing the case and **the Court may summarily dismiss the case without further notice or hearing.** LRBP 2084-15 (3)

Dated: August 29, 2013

/s/ Dianne C. Kerns 011557

Dianne C. Kerns, Esq.
Chapter 13 Trustee

CASE NO.: 12-07754-TUC-EWH

Copy of the foregoing electronically filed with U.S. Bankruptcy Court this August 29, 2013
All parties will receive notice from the court including the following:

IRENE LOUISE LEHANE
8521 E 5TH ST
TUCSON, AZ 85710

PRO SE

Prepared by Betty Norton

1 See Local Rules of Bankruptcy Procedure for the District of Arizona ("LRBP") Rule 2084-15. The Court provided notice of the local rules at commencement of this case in a document entitled "Notice of Certain Provisions of Local Bankruptcy Rules 2084-1 through 2084-26", which document was attached to the "Notice of Chapter 13 Bankruptcy Case. Meeting of Creditors, deadlines." The local rules may also be viewed at www.asb.uscourts.gov

2 Payments should be mailed to Dianne C. Kerns, Trustee, P.O. Box 366, Memphis TN 38101-0366. Cashiers checks or money orders only. Debtors do not need to send a confirmation copy of payments to the Trustee's office. Debtors may confirm that the Trustee has received payments by logging onto www.13datacenter.com or www.13network.com. In general, the information on these websites is 24-hours old.

3 Not earlier than 30 + 7 days after the mailing of this motion, the Trustee will determine whether to upload an order dismissing by (1) reviewing the court docket for conversions, extensions, objections, and/or moratoriums; and (2) reviewing the status of plan payments received by the Trustee's bank. The Debtor may object to the proposed dismissal order, by following the procedures in LBRP 2084-16. If the Court dismisses the case on this motion, the Debtor may seek reinstatement by following the procedures in LBRP 2084-17. The Trustee will only approve the reinstatement if the plan payments are current. If the Trustee does not approve the order of reinstatement the Debtor must set the reinstatement for hearing.

CASE NO.: 12-07754-TUC-EWH

RECEIPT HISTORY

RECEIPT DATE	RECEIPT SOURCE	RECEIPT DESCRIPTION	RECEIPT AMOUNT
Aug 27, 2012	009550929	CASHIER'S CHECK FROM DEBTOR	1,200.00
Oct 01, 2012	009505893	CASHIER'S CHECK FROM DEBTOR	800.00
Nov 07, 2012	009650210 TRAN FROM 09-3144	CASHIER'S CHECK FROM DEBTOR	900.00
Nov 07, 2012	009650354 TRAN FROM 09-3144	CASHIER'S CHECK FROM DEBTOR	1,200.00
Apr 09, 2013	009768728	CASHIER'S CHECK FROM DEBTOR	800.00
Apr 23, 2013	009768977	CASHIER'S CHECK FROM DEBTOR	600.00
			TOTAL RECEIPTS 5,500.00